

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CMA-CGM, et al., : CIVIL ACTION NO. 08-4779 (MLC)
Plaintiffs, : **MEMORANDUM OPINION**
v. :
OCEAN EXPRESS MARINE USA, :
Defendant. :
_____ :

THE PLAINTIFFS bringing this action on September 24, 2008, for the breach of certain agreements concerning cargo, pursuant to 28 U.S.C. § 1333 (dkt. entry no. 1, Compl.); and the defendant having been served on October 7, 2008 (dkt. entry no. 5, Aff. of Service); and the Clerk of the Court having entered default against the defendant for its failure to appear (dkt. entry no. 8), see Fed.R.Civ.P. 55(a); and the plaintiffs moving for entry of judgment by default against the defendant in the amount of \$17,235 ("Motion") (dkt. entry no. 9, Default J. Mot.), see Fed.R.Civ.P. 55(b) (2); and

THE PLAINTIFFS observing all of the formalities in bringing the Motion, including the filing of a certificate of service demonstrating that the papers in support of the Motion have been served on the defendant (dkt. entry no. 10, Certif. of Service; dkt. entry no. 11, Certif. of Service); and the defendant failing to oppose the Motion; and

THE PLAINTIFFS demonstrating to the Court that (1) they are owed (a) \$16,735 in "equipment export demurrage charges" by the defendant (dkt. entry no. 10, Rodriguez Decl., Ex. 4, Invoices), and (b) \$500 in costs and disbursements (id., Ex. 3, Rodriguez Aff. at 2 (listing fees and service charges)), and (2) they are owed \$17,235 in total; and

THE COURT (1) determining the Motion upon the plaintiffs' papers, see Fed.R.Civ.P. 78(b), and (2) intending to (a) grant the Motion, and (b) enter judgment against the defendant; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge

Dated: April 20, 2009